

3-B-02

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 03/04/02  
 JC921 U.S. PTO

**TRANSMITTAL OF  
UTILITY  
APPLICATION  
UNDER 37  
C.F.R. §1.53**

Attorney Docket No.	25886-0066B
First named inventor	James Chen
Express mail label #	EL870637428US
Date of mailing	March 4, 2002

 JC979 U.S. PTO  
 10/091144  
 03/04/02

**Application Elements**

1. ☒ Fee Transmittal Form
2. ☒ Specification containing 55 pages (including claims and Abstract).
  - a. Title: USE OF PHOTOLUMINESCENT NANOPARTICLES FOR PHOTODYNAMIC THERAPY
  - b. Number of claims: 136
3. ☒ 8 sheets of drawings with 8 Figs.
4. ☐ Unexecuted Declaration listing names of joint inventors
5. ☐ Sequence Listing
  - ☐ Paper copy (identical to computer copy)
  - ☐ Computer readable copy
  - ☐ Verified statement

**Accompanying Application Papers**

6. ☐ Assignment
7. ☐ Preliminary Amendment
8. ☒ Return Receipt Postcard

**SIGNATURE OF ATTORNEY/AGENT**

HELLER EHRMAN WHITE & McAULIFFE LLP

*Dale L. Rieger*  
 Dale L. Rieger  
 Registration Number: 43,045

☒ Benefit of priority claimed under 35 U.S.C. §119(e) to U.S. provisional application Serial No. 60/272,877, filed March 2, 2001; and under 35 U.S.C. §119(e) to U.S. application Serial No. 09/798,277, filed March 2, 2001, which application was converted to a provisional application on February 26, 2002 (copy of petition enclosed).

**CORRESPONDENCE ADDRESS**

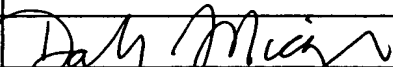
NAME	Stephanie Seidman Registration No. 33,779 Heller Ehrman White & McAuliffe LLP	
Address	4350 La Jolla Village Drive, 7th Floor, San Diego, CA 92122	
	Telephone: 858/450-8400	Facsimile: 858/587-5360

<b>FEE TRANSMITTAL ACCOMPANYING UTILITY APPLICATION UNDER 37 C.F.R. §1.53</b>	Attorney Docket No.	36-0066B
	First named inventor	James Chen
	Express mail label #	EL870637428US
	Date of mailing	March 4, 2002

**FEE CALCULATION FOR CLAIMS AS AMENDED**

a)	Basic Fee		\$ 740.00
b)	Independent Claims <u>11</u> - 3 = <u>8</u> x \$ 84.00		\$ 672.00
c)	Total Claims <u>136</u> - 20 = <u>116</u> x \$ 18.00		\$ 2088.00
d)	Fee for Multiple Dependent Claims - \$280.00		\$ 0.00
<b>TOTAL FILING FEE</b>			<b>\$ 3500.00</b>

- [X] Status as Small Entity is claimed, reducing fees by one-half to \$1750.00.
- [X] A check in the amount of \$1750.00 to cover the fee for filing the application.
- [ ] Charge \$ .00 to Deposit Account No. 50-1213.
- [X] The Commissioner is hereby authorized to charge any fees that may be required in this application under 37 C.F.R. §§ 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1213. If proper payment is not enclosed, such as a check in the wrong amount, unsigned, post-dated, otherwise improper or informal, or absent, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213 during the entire pendency of this application. This sheet is filed in duplicate.

CORRESPONDENCE ADDRESS					
NAME	Stephanie Seidman Registration No. 33,779 Heller Ehrman White & McAuliffe LLP				
Address	4350 La Jolla Village Drive, 7th Floor, San Diego, CA 92122				
	Telephone: 858/450-8400			Facsimile: 858/587-5360	
Submitted by:					
Typed or printed name	Dale L. Rieger			Reg. Number	43,045
Signature		Date	03/04/02	Deposit Account	50-1213

20040404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CHEN

Serial No.: 09/798,277

Group Art Unit: 1619

Filed: March 2, 2001

Examiner: To Be Assigned

For: *NOVEL USES OF PHOTOLUMINESCENT NANOPARTICLES  
FOR PHOTODYNAMIC THERAPY*

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents  
U. S. Patent and Trademark Office  
P. O. Box 2327  
Arlington, VA 22202

Sir:


LIGHT SCIENCES CORPORATION, a corporation organized under the laws of Washington, having a principal business address of 1065 12th Ave. NW, Ste. E-5, Issaquah, Washington 98027, is an Assignee of the entire right, title and interest in the above-captioned patent by virtue of an Assignment from the inventor. A copy of the Assignment from the inventor has been recorded with the U.S. Patent and Trademark Office under Reel 011956 and Frame 0781.

The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

LIGHT SCIENCES CORPORATION

Date: 1/14/02

  
\_\_\_\_\_  
Thomas D. Mays, Ph. D.  
Vice President and  
General Counsel

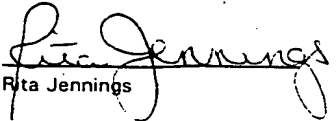
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen  
Serial No.: 09/798,277  
Filed: March 2, 2001  
For: NOVEL USES OF PHOTOLUMINESCENT  
NANOPARTICLES FOR PHOTODYNAMIC  
THERAPY  
Art Unit: 1619  
Examiner: Unassigned

I hereby certify that this paper and the attached  
papers are being deposited with the United  
States Postal Service as first class mail in an  
envelope addressed to:

Commissioner for Patents  
Box DAC  
Washington, D.C. 20231; on this date.

02/26/02  
Date

  
Rita Jennings

TRANSMITTAL LETTER

Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith are a Petition to Convert a Non-Provisional Application to a Provisional Application under 37 CFR 1.53(c)(2), a Power of Attorney by Assignee and Certificate under 37 CFR 3.73(b), and a check for the requisite fee for the Petition (\$50) for filing in connection with the above-identified application.

- ☒ The Commissioner is hereby authorized to charge any fee, including the fee for the petition and extension of time and additional claims or excess independent claims, that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By: Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 25886-P0066B  
Address all correspondence to:  
Stephanie Seidman, Esq.  
HELLER EHRMAN WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122  
Telephone: 858/450-8400  
Facsimile: 858/587-5350  
E-MAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen  
Serial No.: 09/798,277  
Filed: March 2, 2001

For: NOVEL USES OF PHOTOLUMINESCENT  
NANOPARTICLES FOR PHOTODYNAMIC  
THERAPY

Art Unit: 1619

Examiner: Unassigned

I hereby certify that this paper and the  
papers are being deposited with the United  
States Postal Service as first class mail in an  
envelope addressed to:

Commissioner for Patents  
Box DAC  
Washington, D.C. 20231, on this date.

02/26/02  
Date

*Rita Jennings*  
Rita Jennings



**PETITION TO CONVERT NON-PROVISIONAL APPLICATION TO PROVISIONAL  
APPLICATION  
(37 C.F.R. §1.53(c)(2))**

Commissioner for Patents  
BOX DAC  
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions under 37 C.F.R. §1.53(c)(2) to convert the above-referenced application, filed under §1.53(b), to a provisional application. This Petition is made prior to the expiration of 12 months after the filing date of the §1.53(b) application and also prior to the abandonment of the §1.53(b) application. A check including the Petition fee (\$50, 37 C.F.R. 1.17(q)) for the conversion to a provisional application is enclosed.

- ☒ The Commissioner is hereby authorized to charge any fee, including that submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By: \_\_\_\_\_  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No.: 25886-PO066B  
Address all correspondence to:  
Stephanie Seidman, Esq.  
HELLER EHRMAN WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122  
Telephone: 858/450-8400  
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